

Waiver/Appeal Request

CC Docket # 02-6

Applicant Name: **Georgetown Exempted Village Schools**

Entity Number: **129837**

Funding Year: 2012-2013

CONTACT INFORMATION

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APPLICANT INFORMATION

Appellant Name: Gar Seigla

Applicant Name: Georgetown Exempted Village Schools

BEN: 129837

Application #: 875366

“Funding Year 2012 Form 471 Postmarked Outside of Window Letter”

**This is a request for a Waiver/Appeal of the Filing Window for
Georgetown Exempted Village Schools**

Waiver/Appeal Request:

Funding Year 2012 Form 471 Postmarked Outside of Window Letter

Form 471 Information: **875366**

Funding Request Number(s):

FRN: 2389850

FRN: 2389852

FRN: 2389853

FRN: 2389855

TOTAL Dollar Amount Requested: \$12,600.00

Service Provider Name: To be listed at end of document

Service Provider Identification Number: To be listed at end of document

Reason for Denial:

Funding Year 2012 Form 471 Certified Outside of Window

Cert. Postmark Date: 03/23/2012

Rationale for Request:

During the “eRate filling window”, I had the responsibility of filing for the Georgetown Exempted Village School District. The school district had supplied me with all of the information for the completion of the Form 471.

Process that Lead To The Error

I receive weekly email updates from USAC in regards to filing deadlines. I have inadvertently understood the filing window for the form 470 to be 3/20/2012. Thinking I was 25 days ahead of the close of the window, I submitted my form 470 (February 24, 2012) only to realize 10 days later that I was not early but actually 3 days late considering I had to wait the mandatory 28 days prior to submitting our form 471.

Circumstances to Consider

During the past year, I have been under significant stress at work. In academic year 2010-2011, our district superintendent resigned his post and an interim-superintendent was hired to fill the position. The district has experienced a significant financial strain and a number of staff have not been replaced upon retirement/contract fulfillment. With a new superintendent on board, I have been working hard to implement his vision/direction for the district. He has a number of aggressive concepts for implementation that have taken a considerable amount of my time to research and/or implement. All while knowing my own contract is up for renewal, working with students in a work study program and staying ahead of daily technology requests (85 per month). Trying to make a good impression and work hard to prove myself to my new boss, I set a date to complete the district’s form 470 thinking I was well within the guidelines for completion. Ultimately finding the 28 day waiting period placed the submission of our form 471 outside of the window for submission.

Upon realizing my error, on March 6, 2012, I notified Ms. Lorrie Germann (E-Rate State Coordinator) and she advised me to wait until the required 28 day window had passed and submit our form 471 and then file with the FCC for a Waiver/Appeal of the application. I have been doing the program for the past four years and I believe I have a very good reputation with USAC and the SLD personnel.

Still today, I am working hard to implement large project solutions as the only staff in my department, but I have taken steps to make sure that this oversight does not occur in the future.

Past FCC Ruling

FCC-06-54 May 19, 2006

One of the reasons that a waiver was granted was on page 7 paragraph 13

The rest of the petitioners assert a waiver is appropriate for one of two reasons: either someone on the applicants' staff made a mistake or had a family emergency that prevented them from filing on time or the delay in the filing or receipt of the application was due to circumstances out of the applicants' control. Specifically, in the first group, some of these appeals involve applicants whose staff members inadvertently failed to file the application forms in a timely manner.¹ Another group of petitioners state that they were unable to comply with the filing deadline due to staff illness or relatives of staff members who were ill.

One of the reasons that a waiver was granted was on page 8 paragraph 14

Based on the facts and circumstances of these specific cases, we find that good cause exists to waive the deadline for filing the FCC Form 471 found in section 54.507 of the Commission's rules... We nevertheless find that good cause exists to waive the deadline in these cases... Given that the violation at issue is procedural, not substantive, we find that the complete rejection of each of these applications is not warranted. Notably, at this time, there is no evidence of waste, fraud or abuse, misuse of funds, or a failure to adhere to core program requirements. Furthermore, we find that denial of funding in these cases would inflict **undue hardship on the applicants**.

I believe that this ruling can be applied within this situation. Procedural date misconceptions contributed significantly to this application being filed late. It was not due to the fault of the school district.

Final Request

Georgetown Exempted Village Schools in Ohio **should not** be penalized for my mistakes. Everything that was requested of them was provided. Therefore, it is with humility that I am requesting that Georgetown Exempted Village Schools not be penalized for the error made by me as a technology coordinator. The decision that you make can cost the District in excess of \$12,600.00. **The denial of this amount of funding will create undue hardship during these extremely hard and unstable financial times. It is hoped that the commission will rule as it has in the past for a waiver of the deadlines associated with the filing of the Form 471.**

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Form 471 and Associated FRNs with Vendors Effected:

Form 471: 875366:

FRN: 2389850	Service Provider Name: Easton Telecom Services, LLC
FRN: 2389852	Service Provider Name: Frontier North, Inc.
FRN: 2389853	Service Provider Name: South Central Ohio Computer Association
FRN: 2389855	Service Provider Name: South Central Ohio Computer Association

This request is made on behalf of the Billed Entity for a Waiver/Appeal to be granted. By granting this Waiver/Appeal, USAC could be directed to review Georgetown Exempted Village Schools' application for funding during the Funding Year 2013.

Your favorable consideration in this matter is greatly appreciated.

Gar Seigla
Technology Coordinator